



SUPERINTENDENT OF PUBLIC INSTRUCTION

RANDY I. DORN OLD CAPITOL BUILDING • PO BOX 47200 • OLYMPIA WA 98504-7200 • <http://www.k12.wa.us>

IN THE MATTER OF THE EDUCATION)
 CERTIFICATE OF)
)
 Michael Aukland)
 Certificate No. 421023C)
 _____)

OPP No. D11-07-036
 FINAL ORDER
 OF SUSPENSION

COMES NOW the Office of Superintendent of Public Instruction (OSPI), under the authority granted by the laws of the state of Washington, having reviewed the file of the above-referenced case, and having considered the entire evidence contained therein, does hereby suspend the Washington Education Certificate No.421023C, of Michael Aukland for two (2) months based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Michael Aukland was issued a Washington Education Certificate, No. 421023C, on October 15, 2004. That certificate is currently valid.

2. Michael Aukland was employed by the Elma School District.

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MICHAEL JERRY AUKLAND
 FINAL ORDER OF SUSPENSION



3. On June 22, 2011, the Office of Professional Practices, within OSPI, received a complaint letter from the superintendent of the Elma School District alleging a lack of good moral character or personal fitness, or a violation of the Code of Professional Conduct, Washington Administrative Code (WAC) 181-87, by Michael Aukland.

4. On May 3, 2011, during 6th period Auto Shop class at Elma High School, Michael Aukland was serving as a substitute teacher. During 6th period Auto Shop class, several students congregated in the darkened Auto Shop office and closed the door. Michael Aukland directed the students to leave the office and to keep the door open.

5. After Michael Aukland left the office, one of the students slammed the office door closed. When the door was closed, the backpack of J.S., a 10th grade male student, got caught on the bottom of the door.

6. As J.S. bent down to retrieve his backpack, Michael Aukland forcefully opened the door causing the door to hit J.S. in the head. Michael Aukland was unaware that J.S. was on the floor behind the door. J.S. incurred a head injury as a result of being struck by the door.

7. In a Standard Tort Claim, Attorney Ray Kaler described J.S. injuries as a concussion and swelling in the right side of his head as a result of being struck in the head by the door.

8. On March 27, 2013, Michael Aukland was interviewed by an OPP investigator.

9. Good moral character and personal fitness is a continuing requirement to maintain a Washington Education Certificate.

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Michael Aukland and over the subject matter of this action.

2. OSPI has shown by clear and convincing evidence that the Washington Education Certificate No. 421023C, of Michael Aukland, should be suspended for unprofessional conduct and/or lack of good moral character or personal fitness. RCW 28A.410.090, WAC 181-86-070, WAC 181-87-060; WAC 181-86-013; WAC 181-86-014.

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ORDER

THEREFORE, it is hereby ordered that the Washington Education Certificate, No.421023C, of Michael Jerry Aukland be suspended for two (2) months.

Reinstatement will require: (1) successful completion of a anger management evaluation by an evaluator mutually agreed upon by the Office of Professional Practices and Michael Aukland; (2) that Michael Aukland follows and complete any and all treatment recommended in the anger management evaluation; (3) that Michael Aukland provides a release authorizing OPP to have access to records of any and all subsequent treatment undertaken; (4) that Michael Aukland provides a release authorizing OPP to release a complete and un-redacted copy of his OPP file to the evaluator for purposes of completing the anger management evaluation; and (5) that the cost of conformance to all reinstatement requirements will be the responsibility of Michael Aukland.

AND Reinstatement shall (also) require: (1) submission of a new application, including Character and Fitness Supplement, provided by OPP and having Michael Aukland fingerprints be checked by both the Federal Bureau of Investigation (FBI) and the Washington State Patrol (WSP); and (2) that if Michael Aukland education certificate expires during the period of suspension, Michael Aukland will show that he meets all academic requirements for renewal/reinstatement of the education certificate. Reinstatement shall also be contingent upon Michael Aukland's fingerprint background check returning with no criminal convictions that are listed in WAC 181-86-013, RCW 28A.410.090, any felony convictions.

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Appeals should be addressed to:

Superintendent of Public Instruction


Office of Professional Practices

PO Box 47200

Olympia, WA 98504

DATED This 4 day of September, 2013.

RANDY I. DORN
Superintendent of Public Instruction
State of Washington



Alan Burke, Ed. D
Deputy Superintendent
K-12 Education